

Gregory L. Curtner (GC 5395)  
Susan I. Robbins (SR 5759)  
MILLER, CANFIELD, PADDOCK & STONE, P.L.L.C.  
500 Fifth Avenue, Suite 1815  
New York, NY 10110  
Telephone: (212) 704-4400

Attorneys for Intervenor  
WELLS FARGO BANK, N.A.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----  
HIGHLAND PARK CDO I GRANTOR TRUST,  
SERIES A,

Plaintiff,

vs.

MATTHEW STUDER, FRED GRAFT,  
ERNIE MALAS, AND PETER  
CORATOLO

Defendants.  
-----

Civ. No. 08 CV 01670 (NRB)

**MOTION AND NOTICE OF  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

**PLEASE TAKE NOTICE** that upon the annexed declaration of Thomas R. Cox, Esq., dated July 15, 2008, and the declaration of Susan I. Robbins, dated July 15, 2008, the intervenor, Wells Fargo Bank, N.A., moves this Court, pursuant to General Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, for an order admitting Thomas R. Cox, Esq. pro hac vice for limited admission to the Bar of the United States District Court for the Southern District of New York for all purposes with respect to the above referenced proceeding and for such other and further relief as this Court deems just and proper.

JUL 18 2008

151650-52  
825-657151  
OK

Dated: New York, New York  
July 15, 2008

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

By: 

Gregory L. Curtner (GC 5395)

· Susan I. Robbins (SR 5759)

*Attorneys for Intervenor Wells Fargo Bank, N.A.*

500 Fifth Avenue, Suite 1815

New York NY 10110

Telephone: (212) 704-4400

TO:

Michael Stolper, Esq.  
Orrick, Herrington & Sutcliffe, LLP  
Attorneys for Plaintiff  
666 Fifth Avenue  
New York, NY 10103  
(212) 506-5000

Daniel E. Katz, Esq.  
Yasmin Rukhshanda Saeed, Esq.  
Bauman Katz & Grill, LLP  
28 West 44th Street, Suite 900  
New York, NY 10036  
(212) 684-0300

Dennis Michael O'Bryan, Esq.  
O'Connor Redd LLP  
200 Mamaroneck Avenue, 2nd Floor  
White Plains, NY 10601  
(248) 258-6262

Marc J. Kessler  
Hahn Loeser & Parks LLP  
65 E. Main Street, Suite 1400  
Columbus, OH 43215  
(614) 233-5168

*Attorneys for Plaintiffs*

*Attorneys for Defendant*

Gregory L. Curtner (GC 5395)  
Susan I. Robbins (SR 5759)  
MILLER, CANFIELD, PADDOCK & STONE, P.L.L.C.  
500 Fifth Avenue, Suite 1815  
New York, NY 10110  
Telephone: (212) 704-4400

Attorneys for Intervenor  
WELLS FARGO BANK, N.A.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----  
HIGHLAND PARK CDO I GRANTOR TRUST,  
SERIES A,

Plaintiff,

vs.

MATTHEW STUDER, FRED GRAFT,  
ERNIE MALAS, AND PETER  
CORATOLO

Defendants.  
-----

Civ. No. 08 CV 01670 (NRB)

**DECLARATION OF SUSAN I.  
ROBBINS IN SUPPORT OF  
MOTION TO ADMIT  
COUNSEL PRO HAC VICE**

SUSAN I. ROBBINS, being duly sworn, hereby deposes and says as follows:

1. I am counsel for Intervenor Wells Fargo Bank, N.A., as Trustee for the Morgan Stanley Capital I Inc. Commercial Mortgage Pass-Through Certificate Series 2006-XLF (“Intervenor”) in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Intervenor’s motion to admit Thomas R. Cox as counsel pro hac vice to represent Intervenor in this matter.

2. I am a member in good standing of the Bar of the State of New York and was admitted to practice law in 1987. I am also admitted to the Bar of the United States Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Thomas R. Cox since 1993.

4. Mr. Cox is a member of the law firm of Miller Canfield Paddock & Stone, P.L.C. in Detroit, Michigan.

5. I have found Mr. Cox to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move for the admission of Thomas R. Cox, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Thomas R. Cox, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE, it is respectfully requested that the motion made to admit Thomas R. Cox, pro hac vice, to represent Intervenor in the above captioned matter, be granted.

Dated: New York, New York  
July 15, 2008

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.L.C.

By: 

Gregory L. Curtner (GC 5395)

Susan I. Robbins (SR 5759)

*Attorneys for Intervenor Wells Fargo Bank, N.A.*

500 Fifth Avenue, Suite 1815

New York NY 10110

Telephone: (212) 704-4400

DELIB:2992645.1\131318-00022

Gregory L. Curtner (GC 5395)  
Susan I. Robbins (SR 5759)  
MILLER, CANFIELD, PADDOCK & STONE, P.L.L.C.  
500 Fifth Avenue, Suite 1815  
New York NY 10110  
Telephone: (212) 704-4400  
*Attorneys for Intervenor Wells Fargo Bank, N.A.*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK  
-----

HIGHLAND PARK CDO I GRANTOR TRUST,  
SERIES A,

Civ. No. 08 CV 01670 (NRB)

Plaintiff,

vs.

MATTHEW STUDER, FRED GRAFT,  
ERNIE MALAS, AND PETER  
CORATOLO

**DECLARATION IN SUPPORT  
OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

Defendants.  
-----

THOMAS R. COX, being duly sworn, hereby deposes and says as follows:

1. I am a member of the law firm of Miller, Canfield, Paddock and Stone, P.L.C., located at 150 W. Jefferson Avenue, Suite 2500, Detroit, Michigan 48226.
2. I submit this affidavit in support of my motion for admission to practice *pro hac vice* in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto I am a member in good standing of the Bar of the State of Michigan.
4. There are no pending disciplinary proceedings against me in any State or Federal Court.

5. Wherefore, your affiant respectfully submits that he be permitted to appear as counsel and advocate *pro hac vice* in this one case.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: 

Thomas R. Cox  
150 W. Jefferson Ave., Suite 2500  
Detroit, Michigan 48226  
Telephone: (313) 496-6420  
cox@millercanfield.com

Dated: July 15, 2008

DELIB:2992663.1\131318-00022

# State Bar of Michigan

## Certificate of Good Standing



This certifies that Thomas R. Cox, P42036 of Detroit, Michigan is an active member of the State Bar of Michigan in good standing. He was admitted to practice in Michigan on December 21, 1988 in Wayne County and became a member of the State Bar of Michigan on December 21, 1988.

Janet K. Welch  
Executive Director  
July 02, 2008



✓

- Motion and Notice of Motion to Admit Counsel Pro Hac Vice;
- Declaration of Susan I. Robbins in Support of Motion to Admit Counsel Pro Hac Vice with Certificate of Good Standing;
- Declaration in Support of Motion to Admit Counsel Pro Hac Vice;
- Proposed Order for Admission Pro Hac Vice for Thomas R. Cox



upon the following parties at the addresses so designated by them for said purpose:

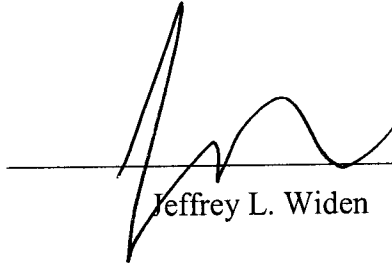
Michael Stolper, Esq.  
Orrick, Herrington & Sutcliffe, LLP  
*Attorneys for Plaintiff*  
666 Fifth Avenue  
New York, NY 10103

Daniel E. Katz, Esq.  
Yasmin Rukhshanda Saeed, Esq.  
Bauman Katz & Grill, LLP  
*Attorneys for Defendant*  
28 West 44th Street, Suite 900  
New York, NY 10036

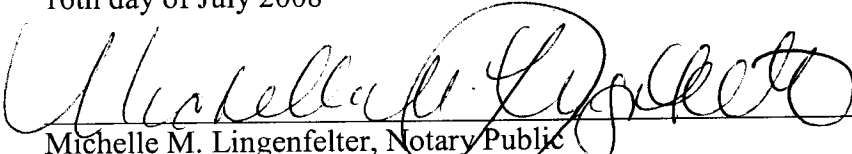
Dennis Michael O'Bryan, Esq.  
O'Connor Redd LLP  
*Attorneys for Plaintiffs*  
200 Mamaroneck Avenue, 2nd Floor  
White Plains, NY 10601

Marc J. Kessler  
Hahn Loeser & Parks LLP  
*Attorneys for Defendant*  
65 E. Main Street, Suite 1400  
Columbus, OH 43215

2. Said services were made by mailing true copies of the aforementioned documents in pre-paid, First Class Mail, sealed wrappers, properly addressed and deposited in an official receptacle in the State of Michigan.

  
\_\_\_\_\_  
Jeffrey L. Widen

Subscribed and sworn to before me this  
16th day of July 2008

  
\_\_\_\_\_  
Michelle M. Lingenfelter, Notary Public  
Wayne County, Michigan  
My commission expires 5/27/2011

DELIB:2993200.1\131318-00022

Gregory L. Curtner (GC 5395)  
Susan I. Robbins (SR 5759)  
MILLER, CANFIELD, PADDOCK & STONE, P.L.L.C.  
500 Fifth Avenue, Suite 1815  
New York NY 10110  
Telephone: (212) 704-4400  
*Attorneys for Intervenor Wells Fargo Bank, N.A.*

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----  
HIGHLAND PARK CDO I GRANTOR TRUST,  
SERIES A,

Civ. No. 08 CV 01670 (NRB)

Plaintiff,

vs.

MATTHEW STUDER, FRED GRAFT,  
ERNIE MALAS, AND PETER  
CORATOLO

**ORDER GRANTING MOTION  
TO ADMIT COUNSEL *PRO*  
*HAC VICE***

Defendants.  
-----

The motion to admit counsel pro hac vice in the above captioned matter is granted. The admitted attorney, Thomas R. Cox, is permitted to argue or try this particular case in whole or in part as counsel or advocate.

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

---

United States District Judge

Dated: \_\_\_\_\_

DELIB:2992656.1\131318-00022